

NEW ORD. → 25-98

"copy"

AN ORDINANCE TO AMEND ORDINANCE NO. 167-95
TO VACATE A PORTION OF ELMWOOD DRIVE
(60 FEET IN WIDTH)
IN THE CITY OF LORAIN, OHIO

WHEREAS, on October 16, 1995, Lorain City Council passed Ordinance No. 167-95 regarding the vacating of a street in the City of Lorain, Ohio.

WHEREAS, the ordinance shall be amended to correct acreage.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF OHIO:

SECTION I: That ordinance No. 167-95 shall be amended to read as follows:

That the street known as Elmwood Drive, situated in the City of Lorain, County of Lorain, and State of Ohio, and known as being a part of Original Black River Township Lot No.8, Tract No. 1, now within the Corporate Limits of the City of Lorain and further described as follows: Beginning at a point in the centerline of Oberlin Avenue being 1837.58 feet southerly along the centerline of Oberlin Avenue from the northerly line of the afore-said Original Lot 8, Tract No. 1; Thence South 89° 36' 50" East a distance of 40.00 feet to a point on the easterly right-of-way line of Oberlin Avenue; Thence continuing South 89° 36' 50" East a distance of 358.49 feet to the Southwest corner of subplot No. 136 of Hickory Hill Subdivision No. 4 as was recorded in Plat Volume 30, Page 34, of the Lorain County Record of Plats; Thence on a curve to the right along the North right-of-way of Elmwood Drive (60' in width) as recorded in Plat Volume 25, Page 16, of the Lorain County Record of Plats and along the south lines of sublots 136 and 135 of the afore-said Hickory Hill Subdivision No. 4, said curve having a radius of 236.06 feet, a central angle of 29° 07' 00", and a chord of 118.67 feet bearing South 69° 29' 00" East to a point, said point shall hereinafter be known as the principal place of beginning; Thence continuing on a curve to the right along the northerly right-of-way of Elmwood Drive, said curve having a radius at 236.06 feet, a central angle of 10° 53' 30" and a chord bearing south 54° 55' 30" East to a point of tangency; Thence continuing along the northerly line of Elmwood Drive, South 49° 29' 00" East a distance of 106.50 feet to a point on the westerly line of Nottingham Woods Subdivision as recorded in Plat Volume 36, Pages 6 and 7, of the Lorain County Record of Plats; Thence continuing along the easterly right-of-way of Elmwood Drive and the westerly line of Nottingham Woods, South 0° 36' 10" West a distance of 78.23 feet to a point; Thence continuing along the southerly right-of-way of Elmwood Drive, North 49° 29' 00" West a distance of 156.70 feet to a point of curve; Thence continuing along the southerly right-of-way of Elmwood Drive on a curve to the left having a radius of 176.06 feet, a central angle of 10° 53' 00" and a chord of 33.39 feet bearing North 54° 55' 30" West to a point on said curve; Thence on a radial line, North 29° 38' 00" East a distance of 60.00 feet to the principal place of beginning and containing within said bounds 0.235 of an acre of land. The same is hereby vacated, however, the City of Lorain, Ohio reserves to itself and others, easement rights to construct or maintain sanitary sewer conduits, storm sewer conduits, water conduits, gas conduits, electric conduits, fire alarm system conduits, telephone and electric pole transmission lines and other similar facilities under or above said street whenever deemed necessary.

SECTION II: That it is agreed that each one-half of the street will revert to the respective abutting owner on each side of said street.

SECTION III: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of all its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

That this shall take effect and be in force from and after the earliest period allowed by law.

PASSED: February 2, 1998

MAYOR [Signature]

APPROVED: February 3, 1998

PRESIDENT: [Signature]

ATTEST: Feb. 3, 1998

A. M.

I, NANCY A. GREER, CLERK OF COUNCIL OF THE CITY OF LORAIN, OHIO, CERTIFY THE FOREGOING IS A TRUE AND ACCURATE COPY OF ORD. NO. 25-98 PASSED ON THE 2 DAY OF February 1998 BY COUNCIL AND TAKEN FROM THE RECORDS IN THE OFFICE OF THE CLERK. Nancy Greer CLERK OF COUNCIL
DATE 2-18-98

396923

ORDINANCE NO. 167-95

AN ORDINANCE TO VACATE A PORTION OF ELMWOOD DRIVE (60 Feet in Width) IN THE CITY OF LORAIN, OHIO.

PAGE O.R. VOL

WHEREAS, a petition signed by 100% of the owners of property abutting Elmwood Drive was duly presented to Council praying that said portion of the street be vacated; and

WHEREAS, City Council, upon hearing, is satisfied that there is good cause for such vacation as prayed for, and that it will not be detrimental to the general interest and ought to be made; and

WHEREAS, under the provision of Ohio Revised Code Section 723.06, notice of pendency and prayer of said petition is not required.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF OHIO:

SECTION 1: That the street known as Elmwood Drive [situated in the City of Lorain, County of Lorain, and State of Ohio, and known as being a part of Original Black River Township Lot No. 8, Tract No. 1, now within the Corporate Limits of the City of Lorain and further described as follows: Beginning at a point in the centerline of Oberlin Avenue being 1837.58 feet southerly along the centerline of Oberlin Avenue from the northerly line of the afore-said Original Lot 8, Tract No. 1; hence South 89° 36' 50" East a distance of 40.00 feet to a point on the easterly right-of-way line of Oberlin Avenue. Thence continuing South 89° 36' 50" East a distance of 338.49 feet to the Southwest corner of subplot No. 116 of Hickory Hill Subdivision No. 4 as was recorded in Plat Volume 30 Page 36. of the Lorain County Record of Plats; Thence on a curve to the right along the north right-of-way of Elmwood Drive (60' in width) as recorded in Plat Volume 25, Page 16, of the Lorain County Record of Plats and along the south lines of sublots 136 and 135 of the afore-said Hickory Hill Subdivision No. 4, said curve having a radius of 236.06 feet, a central angle of 29° 07' 00", and a chord of 118.67 feet bearing South 69° 29' 00" East to a point, said point shall hereinafter be known as the principal place of beginning; Thence continuing on a curve to the right along the northerly right-of-way of Elmwood Drive, said curve having a radius of 236.06 feet, a central angle of 10° 53' 00" and a chord bearing south 54° 55' 30" East to a point of tangency. Thence continuing along the northerly line of Elmwood Drive, South 49° 29' 00" East a distance of 106.30 feet to a point on the westerly line of Nottingham Woods Subdivision as recorded in Plat Volume 36, Pages 6 and 7, of the Lorain County Record of Plats; Thence continuing along the easterly right-of-way of Elmwood Drive and the westerly line of Nottingham Woods, South 0° 36' 10" West a distance of 78.21 feet to a point; Thence continuing along the southerly right-of-way of Elmwood Drive, North 49° 29' 00" West a distance of 151.70 feet to a point of curve; Thence continuing along the southerly right-of-way of Elmwood Drive on a curve to the left having a radius of 176.06 feet, a central angle of 10° 53' 00" and a chord of 33.39 feet bearing North 54° 55' 30" West to a point on said curve; Thence on a radial line, North 29° 38' 00" East a distance of 60.00 feet to the principal place of beginning and containing within said bounds 0.3257 of an acre of land] be the same is hereby vacated, subject however, that the City of Lorain, Ohio reserves to itself and others, easement rights to construct or maintain sanitary sewer conduits, storm sewer conduits, water conduits, gas conduits, electric conduits, fire alarm system conduits, telephone and electric pole transmission lines and other similar facilities under or above said street whenever deemed necessary.

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SECTION 2: That it is agreed that each one-half of the street will revert to the respective abutting owner on each side of said street.

SECTION 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of all its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: That this shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 16 October 1995

PRESIDENT: [Signature]

ATTEST: [Signature]

APPROVED: 17 October 1995

MAYOR: [Signature]

NO TRANSFER NECESSARY
MARK R. STEWART
LORAIN COUNTY AUDITOR
3-25-95
DUTY

49
33
16

5-22-95
5-23-95
5-26-95

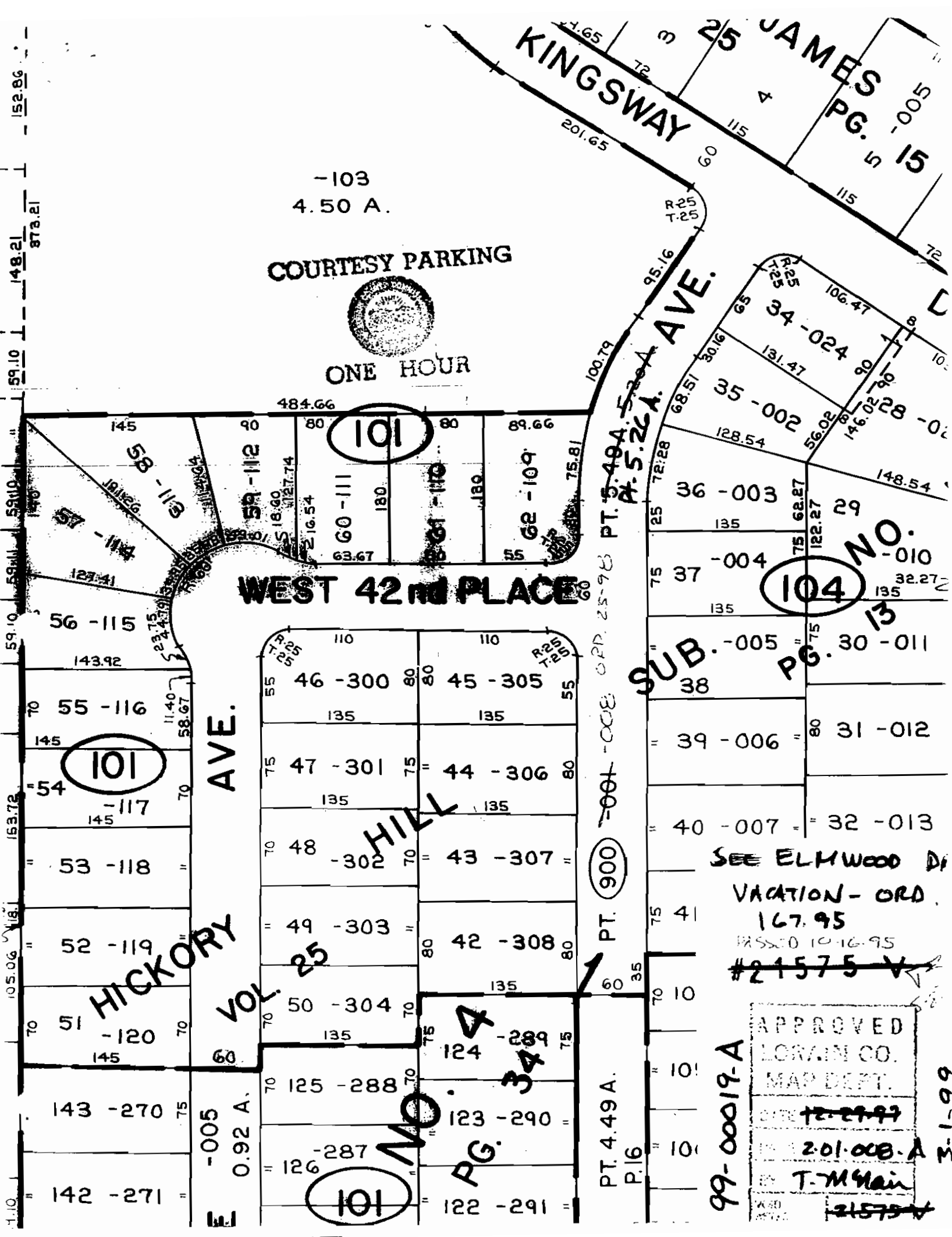


ENGR 10 95

ELMWOOD DRIVE, 60 FEET IN WIDTH OF THE CITY OF LORAIN, OHIO
HEREBY VACATED AND ACCURATE COPY OF
THIS ORDINANCE IS FILED ON THE 16th DAY OF
OCTOBER 1995 BY SAID CLERK AND
RECORDED IN THE OFFICE OF THE CLERK OF

11-1-95

[Signature]



-103
4.50 A.

COURTESY PARKING



ONE HOUR

WEST 42nd PLACE

HICKORY AVE.

SUB. PG. NO. 104

SEE ELMWOOD DR
VACATION - ORD.
167.95
PASSED 10-16-95
#21575 ✓

99-00019-A

APPROVED
LORAIN CO.
MAP DEPT.
DATE 12-29-97
BY 201-008-A
T-M Main
21575 ✓

3-1-99